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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
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10/663,406

09/15/2003

Deepak Ayyagari

8371-162

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11/02/2007

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EXAMINER

WILSON, ROBERT W

ART UNIT

PAPER NUMBER

2619

MAIL DATE

DELIVERY MODE

11/02/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |   |  |
|------------------------------|--------------------------------------|---|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/663,406 | <b>Applicant(s)</b><br>AYYAGARI, DEEPAK |  |
|                              | <b>Examiner</b><br>Robert W. Wilson  | <b>Art Unit</b><br>2619                 |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 3-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/15/04</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The applicant elected Group II claims 3-16 relative to the restriction dated 8/6/07. The applicant did not argue any supposed errors nor was the restriction traversed; therefore, the restriction was deemed proper and final.

#### *Specification*

2. The disclosure is objected to because of the following informalities: The Related Applications section of the specification on Pg 1 lines 5 to 10 needs to be updated to cite missing Co-pending application information. Appropriate correction is required.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 3-15 are rejected under 35 U.S.C. 102(E) as being anticipated by Hundscheidt (Patent Pub. No.: US2004/0233907)

Referring claim 3, Hundscheidt teaches: A method of establishing communications (Figure 1 performs the method) , the method comprising:

determining that a connection needs to be established (The GGSN receives a PDP context activate and request to join a multicast from a mobile per Pg 8 Para [0112]):

generating a connection type and a connection specification(The GGSN determines a multicast connection needs to be determined to be established upon receipt of request from a mobile. The GGSN looks up TLMG (multicast group connection type) requested by the mobile which has a service class or connection specification per Fig 7 )

requesting a connection from a central coordinator (Mobile requests joining in a multicast group from the GGSN or central coordinator per Pg 8 Para [0112])

if the connection is granted, associate a connection identifier with an originating service access point; and

associate predefined parameters with the connection identifier (GGSN grants the mobile joining the TLMG group. The mobile is associated with an access point via the SGSN and has predefined class service parameters per Fig 7)

In addition Hundscheidt teaches

Regarding claim 4, determining that a connection needs to be established further comprising receiving a request from an application for a connection (Mobile station (application) requests to join a TLMG) .

Regarding claim 5, determining that a connection needs to be established further comprising determining that a connection does not exist and automatically establishing a connection (GGSN determines from the join request that the mobile is not already in the TLMG or not and automatically establishes a connection)

Regarding claim 6, generating a connection type further comprising generating a connection type based upon a service access point of an application (The connection ID is translated to a connection by the SGSN based upon the mobile id or generating a connection type based upon the service access point)

Regarding claim 7, generating a connection type further comprising generating a connection type based upon message received from an application requesting the traffic flow (Mobile station is the application requesting traffic flow which requests a TLMG )

Regarding claim 8, further comprising requesting a connection selected from the group comprising: continuous grant service, periodic grant service (Mobile station is a part of the connection unit until disassociation requested) and aperiodic grant service

Regarding claim 9, requesting a connection further comprising requesting a connection from the group comprising unicast (Fig 16) , multicast (Fig 16) , and broadcast

Regarding claim 10, generating a connection specification further comprising generating a connection specification based upon information within protocols (The service class or connection specification per Fig 7 is based upon streaming, interactive, background or information within protocols)

Art Unit: 2619

Regarding claim 11, generating a connection specification further comprising generating a connection specification based upon a direction specification from an application (Requesting to join a TLMG inherently specifies a specification for streaming, interactive or background per Fig 7 per the application)

Regarding claim 12, generating a connection type further comprising generating a connection type as one of the group comprised of continuous grant service, periodic grant service (Mobile station is a part of the connection unit until disassociation requested) and aperiodic grant service

Referring claim 13, Hundscheidt teaches: A method of establishing multicast connection in a centralized communication system (The method is performed per Fig 1 and per per Pg 11 Para [0146] to Pg 12 Para[0160]) the method comprising:

Creating multiple point-to-point connection between a source device and at least two destination devices (Inherent source in the Multimedia IP Network per Fig 1 sends packets to the combination of GGSN and SSGN to at least two MS which are members of a TLMG per Pg 11 Para [0146] to Pg 12 Para[0160])

Replicating application data such that a replica exists for each destination device and transmitting the replicas on the point-to-point connection (The combination of GGSN & SSGN translate a multicast address to the address of the mobile station and replicate each of the packets on a point-to-point connection with the mobile station per Pg 11 Para [0146] to Pg 12 Para [0160])

In addition Hundscheidt teaches:

Regarding claim 14, wherein at least two devices comprises less than all possible destination devices (Fig 16 shows more than two Mobile stations)

Regarding claim 15, wherein at least two devices comprises less than all possible devices (Fig 16 shows that a TLMG can inherently comprise two mobile stations or devices which are less than the total number of mobile station or devices in the network)

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2619

6. Claim 16 is rejected under 35 U.S.C. 102(B) as being anticipated by Birdwell (U.S. Patent No.: 6,041,359)

Referring to claim 16, Birdwell teaches: A method of establishing a broadcast connection (The method is performed by the system in Fig 1 and per col. 7 lines 17 to col. 8 lines 9) , the method comprising:

Requesting a bandwidth allocation from a central coordinator (The Content Server sends a bandwidth reservation request which includes bandwidth required, start time, and stop time to the Broadcast center (Central Coordinator ) per Fig 1 and per col. 7 lines 17 to col. 8 lines 9)

Receiving an indication of a time and size of a bandwidth allocation on a broadcast channel (The Broadcast Center receives a bandwidth reservation request which includes bandwidth required as well as start and stop time for the broadcast channel to the Clients per Fig 1 and per col. 7 lines 17 to col. 8 lines 9)

Transmitting a broadcast message according to the bandwidth allocation time on the broadcast channel such that the broadcast message includes any information needed for processing of the received message (The Broadcast center converts the network packets into broadcast form and signal generator generates the broadcast signals or adds information required to process the received message and per col. 7 lines 17 to col. 8 lines 9)

### *Conclusion*

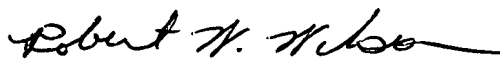
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Wilson whose telephone number is 571/272-3075.

The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on 571/272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2619

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Robert W Wilson  
Examiner  
Art Unit 2619

RWW  
10/23/07